

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK GRAVES

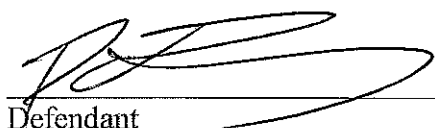
Defendant.

CASE NO. 8:21CR68


WAIVER OF PERSONAL  
APPEARANCE AT ARRAIGNMENT  
AND ORDER

Pursuant to Federal Rule of Criminal Procedure 10(b), the defendant hereby waives personal appearance at the arraignment on the charge[s] currently pending against the defendant in this court.

- (1) The defendant affirms receiving a copy of the indictment;
- (2) The defendant understands the right to appear personally before the Court for an arraignment on the charge[s], and voluntarily waives that right; and
- (3) The defendant pleads not guilty to all counts of the indictment.

  
Defendant

3/29/21  
Date

  
Attorney for Defendant

3/29/21  
Date

ORDER

IT IS ORDERED that Defendant's waiver is hereby accepted, and Defendant's not guilty plea to all counts is entered on record with the Clerk of Court.

DATED this 24 day of March, 2021.

BY THE COURT:

  
MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2021 MAR 18 PM 4:46

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK R. GRAVES,

Defendant.

8:21CR68

OFFICE OF THE CLERK

INDICTMENT  
18 U.S.C. § 1344  
18 U.S.C. § 1028A(a)(1)  
18 U.S.C. § 1028(a)(3)  
18 U.S.C. § 1028(b)(2)(B)

The Grand Jury charges that

COUNTS I THROUGH III

1. From in or about September 2020 through in or about November 2020, in the District of Nebraska and elsewhere, the defendant, PATRICK R. GRAVES, knowingly executed, and attempted to execute, a scheme and artifice to defraud financial institutions and to obtain any of the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, as stated below ("the Scheme"):

*The Purpose of the Scheme*

2. The purpose of the Scheme was for GRAVES to enrich himself and others unlawfully by falsely and fraudulently posing as actual bank customers, presenting false identification documents and other items and unlawfully withdrawing funds from customers' home equity lines of credit and/or other accounts at financial institutions.

*Manner and Means of the Scheme*

3. To achieve the purpose of the Scheme, GRAVES used the following manner and means, among others:

4. During the Scheme, GRAVES traveled with other participants in the Scheme ("Confederates"), to and through the states of Washington, Oregon, Iowa and Nebraska, among others.

5. Confederates provided to one another:

- a. the names of actual customers,
- b. account information for the customers at financial institutions,

- c. false identification documents, credit cards and other items in the names of actual customers but bearing GRAVES's or a Confederate's picture, and
  - d. direction concerning the dollar amount to obtain or attempt to obtain.
6. GRAVES kept track on his cell phone of the customers whose identities he assumed.
  7. GRAVES and Confederates opened bank accounts in actual customers' names ("Phony Bank Accounts") at financial institutions for the purpose of receiving and re-transmitting stolen funds.
  8. Using the account information, false identification and other documents, GRAVES and Confederates falsely represented themselves to be customers with accounts at the financial institutions, and withdrew funds from those customers' home equity lines of credit and/or from other accounts. GRAVES and Confederates obtained the funds in cash, in the form of a check, and/or by instructing the financial institution to transfer funds to the Phony Bank Accounts. GRAVES and Confederates thereafter withdrew funds from the Phony Bank Accounts or transferred those funds to other accounts they controlled.
  9. GRAVES and Confederates provided transportation to one another to conduct the fraudulent transactions at financial institutions.
  10. GRAVES and Confederates typically conducted and attempted to conduct a series of such fraudulent transactions at financial institutions and/or their branches in a particular city over several days, after which they moved to another city and repeated the process.

#### ***The Financial Institutions***

11. Bank A, known to the Grand Jury, was a financial institution within the meaning of Title 18, United States Code, Section 20, being a depository institution insured by the Federal Deposit Insurance Corporation. Bank A was based in Minneapolis, Minnesota, and maintained branches throughout the United States, including the District of Nebraska.

#### ***The Executions of The Scheme***

12. On or about the dates stated below, GRAVES executed, and attempted to execute, the Scheme in the manner described above:

COUNT	DATE	BANK AND LOCATION	TRANSACTION
I	11/16/20	Bank A, 3225 South 42 <sup>nd</sup> Street, Omaha, Nebraska	Withdrawal of \$7,500.00 from home equity line of credit account of customer B.Z.
II	11/17/20	Bank A, 2901 Broadway Street, Council Bluffs, Iowa	Attempted withdrawal of \$7,500.00 from home equity line of credit account of customer B.Z.
III	11/18/20	Bank A, 7519 North 30th Street, Omaha, Nebraska	Withdrawal of \$7,500.00 from home equity line of credit account of customer L.S.

All in violation of Title 18, United States Code, Section 1344.

#### COUNT IV

On or about November 16, 2020, at or near 3225 South 42<sup>nd</sup> Street, Omaha, in the District of Nebraska, the defendant, PATRICK R. GRAVES, did knowingly possess and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, Bank Fraud in violation of 18 U.S.C. § 1344, knowing that the means of identification belonged to another actual person.

In violation of Title 18, United States Code, Section 1028A(a)(1).

#### COUNT V

On or about November 18, 2020, at or near 7519 North 30<sup>th</sup> Street, Omaha, in the District of Nebraska, the defendant, PATRICK R. GRAVES, did knowingly possess and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, Bank Fraud in violation of 18 U.S.C. § 1344, knowing that the means of identification belonged to another actual person.

In violation of Title 18, United States Code, Section 1028A(a)(1).

#### COUNT VI


On or about November 18, 2020, in the District of Nebraska, the defendant, Patrick R. Graves, did knowingly possess with intent to use unlawfully five or more false identification documents, to wit, driver's licenses, in and affecting interstate commerce.

In violation of Title 18, United States Code, Sections 1028(a)(3), 1028(b)(2)(B).

A TRIER RIT.I..

FOREPERSON

The United States of America requests that trial of this case be held in Omaha, Nebraska, pursuant to the rules of this Court.

  
JOHN E. HIGGINS, #19546  
ASSISTANT UNITED STATES ATTORNEY